Applicant:	Donald F. Gordon et al.	Examiner:	SALTARELLI, DOMINIC D.
Serial No.:	09/585,263	Group Art Unit:	2421
Filed:	June 2, 2000	Docket No.:	60136.0156USI1
Title:	CHANNEL INFORMATION WINDOW VIA SERVER-CENTRIC INTERACTIVE USER INTERFACE		

APPEAL BRIEF

MAIL STOP APPEAL
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is an Appeal Brief submitted pursuant to 37 C.F.R. § 41.37 for the above-referenced patent application. The fee of $540.00 for this brief in support of appeal as indicated in 37 C.F.R. § 41.20(b)(2) was paid at the time of filing of the original Appeal Brief.

I.   Real Party in Interest

The real party in interest is Cox Communications, Inc., 1400 Lake Hearn Drive, Atlanta, Georgia 30319 per the assignment recorded on October 12, 2004 at Reel 021817 frame 0486.

II.   Related Appeals and Interferences

Appellants are unaware of any related appeals, interferences or judicial proceedings.

III. Status of Claims

Claims 1, 5, 7-10, 13 and 14 were rejected. Claim 4 has been canceled and claims 14-22 and 24 were withdrawn from further consideration. Claims 1-3, 5-13 and 23 are presented for appeal and may be found in the attached Appendix of Appealed Claims in their present form.

IV. Status of Amendments

On August 24, 2004, a Non-Final Rejection was mailed. On November 24, 2004, an Amendment After Non-Final Rejection was filed. On April 7, 2005, a Final Rejection was mailed. On June 7, 2005, a Request for Continued Examination (RCE) and Response was filed. On July 1, 2005, a Non-Final Rejection was mailed. On August 31, 2005, an Amendment After Non-Final Rejection was filed. On November 10, 2005, a Final Rejection was mailed. On February 1, 2006, an Amendment After Final was filed. On February 1, 2006, a Request for Continued Examination (RCE) and Response was filed. On March 7, 2006, a Non-Final Rejection was mailed. On August 3, 2006, an Amendment After Non-Final Rejection was filed. On September 21, 2006, a Final Rejection was mailed. On November 15, 2006, an Amendment After Final was filed. On December 6, 2006, an Advisory Action was mailed. On December 21, 2006, a Notice of Appeal was filed. On February 20, 2007, an Appeal Brief was filed. On June 11, 2007, a Examiner's Answer to the Appeal Brief was mailed. On August 9, 2007, a Reply Brief Filed was filed. On September 9, 2008, a BPAI decision reversing the Examiner was mailed. On January 12, 2009, a Non-Final Rejection was mailed. On February 13, 2009, an Amendment After Non-Final

Rejection was filed. On May 19, 2009, a Final Rejection was mailed. On July 20, 2009, an

Amendment After Final was filed. On July 24, 2009, an Advisory Action was mailed. On

October 9, 2009, a Notice of Appeal was filed.

V.   Summary of Claimed Subject Matter

The claims set forth a channel information window via server-centric interactive user

interface for providing targeted advertisements and multimedia contents in a server-centric system

Independent claim 1

Independent claim 1 sets forth a method that includes generating, at a headend (102),

at least one bitmap for a channel information window (1704) (page 32, lines 4-6; FIG. 17),

encoding, at the headend (102), a broadcast video presentation and the bitmap for the channel

information window (1704), the broadcast video presentation (1702) being programming

from one of a plurality of channels (page 32, lines 9-12; FIG. 1), transmitting, from the

headend (102) to a set top terminal (106), the broadcast video presentation (1702) and the

bitmap for the channel information window wherein elements on a display screen can be

selectively masked and displayed (1704) (page 32, lines 9-12; FIG. 1), receiving, at the set

top terminal, a signal to activate the channel information window(1704) (page 32, lines 25-

27), decoding, at the set top terminal, the broadcast video presentation and the bitmap for the

channel information window and compositing, at the set top terminal (106), the bitmap for

the channel information window (1704) and the broadcast video presentation (1702) to

produce a video stream for a display so that the channel information window (1704) overlays

and obscures at least a portion of the broadcast video presentation (1702) on the display (page

32, lines 28-29), wherein transmitting the bitmap for the channel information window (1704)

is performed via an out-of-band channel (Fig. 2, page 32, lines 10-11; see also bitmap data

can be loaded to STT via OOB, page 30, lines 22-23).

Independent claim 5

Independent claim 5 sets forth a method that includes generating, at a headend (102),

a plurality of bitmaps for each of a plurality of channel information windows(1704) (page 32,

lines 4-6; FIG. 17), encoding, at the headend (102), a plurality of broadcast video displays

and the channel information windows (1704), the broadcast video displays including a

particular broadcast video display (1702), each broadcast video display (1702) being

programming from one of a plurality of channels, the channel information windows (1704)

including information about the channels(page 32, lines 9-12; FIG. 1), transmitting, from the

headend (102) to the set top terminal (106), the broadcast video displays (1702) and the

channel information windows (1704) (page 32, lines 9-12; FIG. 1), wherein elements on a

display screen can be selectively masked and displayed (Figs. 6A-6C, page 18, lines 9-24),

decoding, at the set top terminal (106), the broadcast video displays (1702) and the channel

information windows(1704) (page 32, lines 14-16), compositing, at the set top terminal (106),

the particular broadcast video display (1702) and an associated one of the channel

information windows (1704) to produce a video stream for a display so that the channel

information window (1704) overlays and obscures at least a portion of the particular

broadcast video display (1702) (page 32, lines 28-29) and changing, at the set top terminal

(106), the channel information window (1704) in response to a navigation command, while

the particular broadcast video display (1702) remains the same (page 35, lines 1-3).

Independent claim 9

Independent claim 9 sets forth a method that includes generating, at a headend (102),

a broadcast video presentation (1702) and at least one bitmap for a channel information

window (1704), the broadcast video presentation (1702) being programming from one of a

plurality of channels (page 32, lines 4-6; FIG. 17), encoding, at the headend (102), the

broadcast video presentation (1702) and the bitmap for the channel information window

(page 32, lines 9-12; FIG. 1), transmitting, from the headend (102) to a terminal (106), the

broadcast video presentation (1702) and the channel information window (page 32, lines 9-

12; FIG. 1), wherein elements on a display screen can be selectively masked and displayed

(Figs. 6A-6C, page 18, lines 9-24) and sending, from the terminal (106) to the headend (102),

a signal to activate the channel information window (Fig. 1, page 32, lines 30-32) and

wherein the bitmap for the channel information window is overlaid over the broadcast video

presentation (1702) so that the channel information window obscures at least a portion of the

broadcast video presentation (1702) (page 32, lines 28-29).

Independent claim 10

Independent claim 10 sets forth a method that includes receiving, at a terminal from a

headend, a broadcast video presentation, the broadcast video presentation being programming

from one of a plurality of channels, sending, to the headend (102) from the terminal (106), a

signal to activate a channel information window (1704) (Fig. 1, page 32, lines 30-32),

receiving, at the terminal (106) from the headend terminal (102), a bitmap for the channel

information window, decoding, at the terminal (106), the broadcast video presentation (1702)

and the channel information window (1704) (page 32, lines 14-1 6), wherein elements on a

display screen can be selectively masked and displayed; and compositing, at the terminal

(106), the bitmap for the channel information window (1704) with the broadcast video

presentation (1702) to produce a video stream for display so that the channel information

window (1704) overlays and obscures at least a portion of the broadcast video presentation

(1702) in the video stream (page 32, lines 28-29).

VI.   Grounds of Rejection

Appellant has attempted to comply with new rule 37 C.F.R. § 41.37(c) by providing

the Office Action's grounds of rejection verbatim, followed by an argument section

corresponding thereto.

A.   In paragraph 3 on page 5 of the Office Action, claim 1 was rejected under 35 U.S.C. § 103(b) as being unpatentable over Hendricks in view of Gordon.

B.   In paragraph 4 on page 7 of the Office Action, claims 5 and 8 were rejected under 35 U.S.C. § 103(b) as being unpatentable over Hendricks in view of Gordon and Miller.

C.   In paragraph 5 on page 10 of the Office Action, claim 7 was rejected under 35 U.S.C. § 103(b) as being unpatentable over Hendricks, Gordon, and Miller, and further in view of Hoarty.

D.   In paragraph 6 on page 11 of the Office Action, claims 9 and 10 were rejected under 35 U.S.C. § 103(b) as being unpatentable over Hendricks, Gordon, and Bolanos.

E.   In paragraph 7 on page 14 of the Office Action, claim 13 was rejected under 35 U.S.C. § 103(b) as being unpatentable over Hendricks, Gordon, and Bolanos.

F.   In paragraph 8 on page 15 of the Office Action, claim 14 was rejected under 35 U.S.C. § 103(b) as being unpatentable over Hendricks, Gordon, and MacInnis.

VII.   Argument

A.   CLAIM 1 IS PATENTABLE UNDER 35 U.S.C. § 103(A) OVER HENDRICKS AND GORDON

Independent claim 1 sets forth generating, at a headend, at least one bitmap for a channel

information window, encoding, at the headend, a broadcast video presentation and the bitmap for

the channel information window, the broadcast video presentation being programming from one

of a plurality of channels, transmitting, from the headend to a set top terminal, the broadcast video

presentation and the bitmap for the channel information window wherein elements on a display

screen can be selectively masked and displayed, receiving, at the set top terminal, a signal to

activate the channel information window, decoding, at the set top terminal, the broadcast video

presentation and the bitmap for the channel information window and compositing, at the set top

terminal, the bitmap for the channel information window and the broadcast video presentation to

produce a video stream for a display so that the channel information window overlays and

obscures at least a portion of the broadcast video presentation on the display wherein transmitting

the bitmap for the channel information window is performed via an out-of-band channel.

Independent claims 5, 9 and 10 recite similar elements.

Accordingly, the headend transmits a broadcast video presentation and bitmap for the

channel information window, wherein the set top terminal decodes the information therein to

produce video stream for a display.

In contrast, Hendricks discloses generating a program control information signal that

provides the network controller 214 with data on the scheduling and description of programs.

The network controller 214 sends the data to the set top terminal 220 in the form of a set top

terminal control information stream (STTCIS). The set top terminal 220 integrates either the

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program control information signal or the STTCIS with data stored in the memory of the set top terminal 220 to generate on-screen menus that assist the subscriber in choosing programs for display.

Moreover, according to Hendricks, a minimal amount of information is communicated to the set top terminal 220 on a regular basis. The set top terminal 220 determines the proper menu location for each program and the proper time and channel to activate for the subscriber after a menu selection.

Further, Hendricks states that the menu format for creating the menus can be fixed in ROM at the set top terminal 220. New menu format information may be sent via the program control information signal or the STTCIS to the set top terminals 200 whenever a change to a menu format is desired.

Hendricks further states that the menus may be generated from menu templates stored in each set top terminal. Still further, Hendricks states that the set top terminal 220 generates the menus that are displayed on the television by creating arrays of particular menu templates.

Thus, Hendricks fails to even mention decoding, at the set top terminal, the bitmap for compositing with the broadcast video presentation to produce a video stream for a display.

In addition, Hendricks fails to disclose, teach or suggest encoding, at the headend, a broadcast video presentation and the bitmap for the channel information window, the broadcast video presentation being programming from one of a plurality of channels and transmitting, from the headend to a set top terminal, the broadcast video presentation and the bitmap for the channel information window. Instead, Hendricks merely provides the data to the set top terminals. While the data for the schedules and for the menus are transmitted in a properly formatted signal to the

set top terminals, the set top terminals must process the received data and generate the bitmap for the channel information window.

Hendricks also fails to suggest "decoding", at the set top terminal, the bitmap for the channel information window and compositing, at the set top terminal, the bitmap for the channel information window so that the channel information window overlays and obscures at least a portion of the broadcast video presentation on the display. Rather, as discussed above, the set top terminal does not decode the bitmap for the channel information window, but instead has to generate the bitmap at the set top terminal.

Thus, Hendricks fails to disclose, teach or suggest the invention as defined in independent claim 1.

Gordon fails to overcome the deficiencies of Hendricks. Gordon is merely cited as disclosing a system wherein downloaded graphics used in displaying overlays atop of video content are downloaded as bitmaps and elements on a display screen can be selectively masked and displayed. The Office Action states that Hendricks generates graphics at a headend and that Gordon teaches that graphics may be a bitmap.

However, Hendricks teaches that only schedule data, description data and menu format data is transmitted to the set top terminals. The set top terminal 220 may then combine the different signals to form the desired display on the subscriber's television.

Therefore, at best, Hendricks and Gordon, when combined suggest that a set top terminal may combine the different signals to form a bitmap that implemented in a display signal at the subscriber.

Thus, Hendricks and Gordon, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claim 1.

B.   CLAIM 5 IS PATENTABLE UNDER 35 U.S.C. § 103(A) OVER HENDRICKS, GORDON AND MILLER

Independent claim 5 sets forth a method that includes generating, at a headend, a plurality of bitmaps for each of a plurality of channel information windows, encoding, at the headend, a plurality of broadcast video displays and the channel information windows, the broadcast video displays including a particular broadcast video display, each broadcast video display being programming from one of a plurality of channels, the channel information windows including information about the channels, transmitting, from the headend to the set top terminal, the broadcast video displays and the channel information windows wherein elements on a display screen can be selectively masked and displayed, decoding, at the set top terminal, the broadcast video displays and the channel information windows, compositing, at the set top terminal, the particular broadcast video display and an associated one of the channel information windows to produce a video stream for a display so that the channel information window overlays and obscures at least a portion of the particular broadcast video display; and changing, at the set top terminal, the channel information window in response to a navigation command, while the particular broadcast video display remains the same.

As described above with regard to claim 1, Hendricks fails to even mention decoding, at the set top terminal, the bitmap for compositing with the broadcast video presentation to produce a video stream for a display. Hendricks was also shown to fail to disclose, teach or suggest encoding, at the headend, a broadcast video presentation and the bitmap for the channel

information window, the broadcast video presentation being programming from one of a plurality

of channels and transmitting, from the headend to a set top terminal, the broadcast video

presentation and the bitmap for the channel information window. Instead, Hendricks merely

provides the data to the set top terminals.

Still further, Hendricks was shown to fail to suggest "decoding", at the set top terminal,

the bitmap for the channel information window and compositing, at the set top terminal, the

bitmap for the channel information window so that the channel information window overlays and

obscures at least a portion of the broadcast video presentation on the display. Rather, as discussed

above, the set top terminal does not decode the bitmap for the channel information window, but

instead has to generate the bitmap at the set top terminal.

`Gordon is merely cited as disclosing a system wherein downloaded graphics used in

displaying overlays atop of video content are downloaded as bitmaps and elements on a display

screen can be selectively masked and displayed. The Office Action states that Hendricks

generates graphics at a headend and that Gordon teaches that graphics may be a bitmap.

However, Hendricks teaches that only schedule data, description data and menu format

data is transmitted to the set top terminals. The set top terminal 220 may then combine the

different signals to form the desired display on the subscriber's television.

Therefore, at best, Hendricks and Gordon, when combined suggest that a set top terminal

may combine the different signals to form a bitmap that implemented in a display signal at the

subscriber.

Thus, Hendricks and Gordon, alone or in combination, fail to disclose, teach or suggest

the invention as defined in independent claim 5.

Miller fails to overcome the deficiencies of Hendricks and Gordon. Miller is merely cited as disclosing changing, at the set top terminal, the channel information window in response to a navigation command.

However, Miller fails to address generating, at a headend, at least one bitmap for a channel information window. Miller also fails to address encoding, at the headend, a broadcast video presentation and the bitmap for the channel information window and transmitting, from the headend to a set top terminal, the broadcast video presentation and the bitmap for the channel information window. Miller also fails to address decoding, at the set top terminal, the broadcast video presentation and the bitmap for the channel information window and compositing, at the set top terminal, the bitmap for the channel information window and the broadcast video presentation to produce a video stream for a display.

Thus, Hendricks, Gordon and Miller, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claim 5.

C. CLAIM 7 IS PATENTABLE UNDER 35 U.S.C. § 103(A) OVER HENDRICKS, GORDON, MILLER AND HOARTY

Dependent claim 7 incorporates all of the elements set forth in claim 5. In addition, claim 7 sets forth that the method includes changing the particular broadcast video display to a new broadcast video display, upon termination of the navigation command in that mode, wherein changing the particular broadcast video display is accomplished by generating, encoding, and transmitting video packet streams at the headend.

Dependent claim 7 is patentable over Hendricks, Gordon and Miller for the reasons stated above. The Final Office Action cited Hoarty as teaching a video distribution system (Fig.

3) that changes a particular broadcast video display by generating, encoding, and transmitting video packet streams at the head end, wherein a particular user is allocated a particular frequency channel in order to access a very wide range of services, and a channel change command changes the content supplied on the "virtual" channel, providing a wider range of services to users than would otherwise be available.

However, Hoarty does not mention changing a display to a new broadcast video display upon termination of the navigation command. Rather, Hoarty merely discloses that different information is displayed on the established face of a carousel in response to operation of the selection means. Hoarty does not mention termination of a navigation command.

Thus, Hendricks, Gordon, Miller and Hoarty, alone or in combination, fail to disclose, teach or suggest the invention as defined in dependent claim 7.

D.   CLAIMS 9 AND 10 ARE PATENTABLE UNDER 35 U.S.C. § 103(A) OVER HENDRICKS, GORDON AND BOLANOS

Independent claim 9 sets forth a method that includes generating, at a headend, a broadcast video presentation and at least one bitmap for a channel information window, the broadcast video presentation being programming from one of a plurality of channels, encoding, at the headend, the broadcast video presentation and the bitmap for the channel information window, transmitting, from the headend to a terminal, the broadcast video presentation and the channel information window wherein elements on a display screen can be selectively masked and displayed; and sending, from the terminal to the headend, a signal to activate the channel information window, wherein the bitmap for the channel information window is overlaid over the

broadcast video presentation so that the channel information window obscures at least a portion of the broadcast video presentation.

Independent claim 10 is similar to claim 9, but sets forth a method that includes receiving, at a terminal from a headend, a broadcast video presentation, the broadcast video presentation being programming from one of a plurality of channels, sending, to the headend from the terminal, a signal to activate a channel information window, receiving, at the terminal from the headend, a bitmap for the channel information window, decoding, at the terminal, the broadcast video presentation and the channel information window wherein elements on a display screen can be selectively masked and displayed; and compositing, at the terminal, the bitmap for the channel information window with the broadcast video presentation to produce a video stream for display so that the channel information window overlays and obscures at least a portion of the broadcast video presentation in the video stream.

As described above, Hendricks and Gordon, alone or in combination, fail to suggest a broadcast video presentation and at least one bitmap for a channel information window encoded at the headend and received at a terminal from the headend where the broadcast video presentation and the bitmap for the channel information window are decoded.

Hendricks and Gordon, alone or in combination, fail to suggest that a signal is sent from the terminal to the headend to activate the channel information window.

Hendricks and Gordon, alone or in combination, fail to suggest that the bitmap for the channel information window is overlaid over the broadcast video presentation and obscures at least a portion of the broadcast video presentation in the video stream.

Nevertheless, Bolanos is cited as disclosing the downloading of graphics for a user interface on demand for the benefit of not having to repeatedly transmit the user interface graphics. The Final Office Action equates this with receiving at the head end from the terminal, a signal to active the channel information window.

More specifically, the graphical user interface may be obtained when the user logs onto an Internet site or a commercial on-line service and request that the interface be downloaded to the user's local computer system. Once the graphical user interface has been downloaded, the user can download and playback audiovisual programs as they become available, without having to repeatedly download the graphical user interface.

Thus, the graphical user interface of Bolanos is configured for the playback of audiovisual programs. In contrast, the channel information window is a bitmap providing an interactive program guide that is overlaid over a broadcast video display. Thus, Bolanos fails to suggest receiving at the head end from the terminal, a signal to active the channel information window.

Therefore, Hendricks, Gordon and Bolanos, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 9 and 10.

E.   CLAIM 13 IS PATENTABLE UNDER 35 U.S.C. § 103(A) OVER HENDRICKS, GORDON AND BOLANOS

As established above with regard to claim 1, Hendricks and Gordon fail to disclose, teach or suggest the elements set forth in independent claim 1. Claim 13 depends from claim 1 and sets forth the additional element of requesting, by the set top terminal from the headend, the bitmap for the channel information window in response to the signal to activate the channel information window.

However, as established above with regard to independent claims 9 and 10, Bolanos fails to disclose, teach or suggest receiving at the head end from the terminal, a signal to active the channel information window.

Therefore, Hendricks, Gordon and Bolanos, alone or in combination, fail to disclose, teach or suggest the invention as defined in dependent claim 13.

F.   CLAIM 14 IS PATENTABLE UNDER 35 U.S.C. § 103(A) OVER HENDRICKS, GORDON AND MACINNIS

As established above with regard to claim 1, Hendricks and Gordon fail to disclose, teach or suggest the elements set forth in independent claim 1. Claim 14 depends from claim 1 and sets forth that the bitmap for the channel information window is broadcast continually and the set top terminal causes the channel information window to overlay the broadcast video presentation in response to the signal to activate the channel information window.

MacInnis is cited as teaching a method for downloading data, wherein the data is broadcast continually for the benefit of alleviating the need to request the data from a source. However, MacInnis only discloses that a portion of a table T containing a list of compatibility requirements.

Therefore, MacInnis fails to suggest continuously downloading a bitmap for channel information window that is overlaid on the broadcast video presentation in response to the signal to activate the channel information window.

Thus, Hendricks, Gordon and MacInnis, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 14.

VIII.   <u>Conclusion</u>

In view of the above, Appellants submit that the rejections are improper, the claimed invention is patentable, and that the rejections of claims 1, 5, 7-10, 13 and 14 should be reversed. Appellants respectfully request reversal of the rejections as applied to the appealed claims and allowance of the entire application.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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23552
PATENT TRADEMARK OFFICE

By: _____
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APPENDIX OF APPEALED CLAIMS FOR APPLICATION NO. 09/585,263

1   1.   (Previously Presented)   A method, comprising:

2   generating, at a headend, at least one bitmap for a channel information

3 window;

4   encoding, at the headend, a broadcast video presentation and the bitmap for the

5 channel information window, the broadcast video presentation being programming from one

6 of a plurality of channels;

7   transmitting, from the headend to a set top terminal, the broadcast video presentation

8 and the bitmap for the channel information window wherein elements on a display screen can

9 be selectively masked and displayed;

10   receiving, at the set top terminal, a signal to activate the channel information window;

11   decoding, at the set top terminal, the broadcast video presentation and the bitmap for

12 the channel information window; and compositing, at the set top terminal, the bitmap for the

13 channel information window and the broadcast video presentation to produce a video stream

14 for a display so that the channel information window overlays and obscures at least a portion

15 of the broadcast video presentation on the display wherein transmitting the bitmap for the

16 channel information window is performed via an out-of-band channel.

1   2-4.   (Cancelled)

1   5.   (Previously Presented)   A method, comprising:

2   generating, at a headend, a plurality of bitmaps for each of a plurality of channel

3   information windows;

4   encoding, at the headend, a plurality of broadcast video displays and the channel

5   information windows, the broadcast video displays including a particular broadcast video

6   display, each broadcast video display being programming from one of a plurality of channels,

7   the channel information windows including information about the channels;

8   transmitting, from the headend to the set top terminal, the broadcast video displays

9   and the channel information windows wherein elements on a display screen can be selectively

10   masked and displayed;

11   decoding, at the set top terminal, the broadcast video displays and the channel

12   information windows;

13   compositing, at the set top terminal, the particular broadcast video display and an

14   associated one of the channel information windows to produce a video stream for a display so

15   that the channel information window overlays and obscures at least a portion of the particular

16   broadcast video display; and changing, at the set top terminal, the channel information

17   window in response to a navigation command, while the particular broadcast video display

18   remains the same.

1   6.   (Cancelled)

1   7.   (Previously presented)   The method of claim 5, further comprising:

2   changing the particular broadcast video display to a new broadcast video display,

3   upon termination of the navigation command in that mode;

4   wherein changing the particular broadcast video display is accomplished by

5   generating, encoding, and transmitting video packet streams at the headend.

1   8.   (Previously presented)The method of claim 5, wherein the navigation

2   command in that mode navigates only through favorite channels.

1   9.   (Previously Presented)   A method, comprising:

2   generating, at a headend, a broadcast video presentation and at least one bitmap for a

3   channel information window, the broadcast video presentation being programming from one

4   of a plurality of channels;

5   encoding, at the headend, the broadcast video presentation and the bitmap for the

6   channel information window;

7   transmitting, from the headend to a terminal, the broadcast video presentation and the

8   channel information window wherein elements on a display screen can be selectively masked

9   and displayed; and sending, from the terminal to the headend, a signal to activate the channel

10   information window;

11   wherein the bitmap for the channel information window is overlaid over the broadcast

12   video presentation so that the channel information window obscures at least a portion of the

13   broadcast video presentation.

1   10.   (Previously Presented)   A method, comprising:

2   receiving, at a terminal from a headend, a broadcast video presentation, the broadcast

3 video presentation being programming from one of a plurality of channels;

4   sending, to the headend from the terminal, a signal to activate a channel information

5 window;

6   receiving, at the terminal from the headend, a bitmap for the channel information

7 window;

8   decoding, at the terminal, the broadcast video presentation and the channel

9 information window wherein elements on a display screen can be selectively masked and

10 displayed; and compositing, at the terminal, the bitmap for the channel information window

11 with the broadcast video presentation to produce a video stream for display so that the

12 channel information window overlays and obscures at least a portion of the broadcast video

13 presentation in the video stream.

1   11-12. (Cancelled)

1   13.   (Previously presented)   The method of claim 1, further comprising:

2   requesting, by the set top terminal from the headend, the bitmap for the channel

3 information window in response to the signal to activate the channel information window.

1   14.   (Previously presented)The method of claim 1, wherein the bitmap for the

2   channel information window is broadcast continually and the set top terminal causes the

3   channel information window to overlay the broadcast video presentation in response to the

4   signal to activate the channel information window.

APPENDIX OF EVIDENCE FOR APPLICATION NO. 09/585,263

Appellants are unaware of any evidence submitted in this application pursuant to 37 C.F.R. §§ 1.130, 1.131, and 1.132.

APPENDIX OF RELATED PROCEEDINGS FOR APPLICATION NO. 09/585,263

As stated in Section II above, Appellants are unaware of any related appeals, interferences or judicial proceedings.